

A
B I L L

INTITLED

An Act to amend the Law relating to Lunatics in Ireland. A.D. 1901.

NOTE.—*The words enclosed in brackets and underlined are proposed to be inserted in Committee.*

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

5 1.—(1.) The Lord Lieutenant may in addition to his power of absolute discharge also discharge any criminal lunatic conditionally, that is to say, on such conditions as to the duration of such discharge and otherwise as the Lord Lieutenant may think fit. Conditional discharge of criminal lunatics.

(2.) Where a criminal lunatic has been conditionally discharged under this section, a report of his condition shall be made to the Lord Lieutenant by such person, at such times, and containing such particulars, as may be required by the warrant of discharge, or as may from time to time be required by the Lord Lieutenant.

15 (3.) Where a criminal lunatic has been conditionally discharged under this section, if any of the conditions of such discharge appear to the Lord Lieutenant to have been broken, or if the conditional discharge is revoked, the Lord Lieutenant may by warrant direct him to be taken into custody and conveyed either to the central asylum for criminal lunatics, or to the asylum in which he was detained previous to such conditional discharge; and he may thereupon be so taken and conveyed in like manner as if he had escaped from such asylum, and shall be received and detained therein as if he had been removed thereto in pursuance of the provisions of the Act under which he was so previously
25 detained.

3.—(1.) Sections three hundred and twenty-two (which relates to ill-treatment of lunatics) and three hundred and twenty-four (which relates to abuse of female lunatics) of the Lunacy Act, 1890, shall apply to Ireland, and the said sections three hundred and twenty-

[Bill 256.]

Application to Ireland of 53 & 54 Vict. c. 5, ss. 322 and 324.

A.D. 1901. two as so applied shall extend to striking, and shall include any person employed in the care of a single patient or of a lunatic in a workhouse, and accordingly in that section as so applied there shall be inserted after the word "otherwise" the words "or any person employed in the care of a single patient or of a lunatic in a workhouse, strikes."

(2.) Penalties under the said section three hundred and twenty-two as applied to Ireland may be recovered under the Summary Jurisdiction (Ireland) Acts.

Provision as to expenses of criminal and dangerous lunatics

[3.—(1.) Subject as in this section mentioned, all expenses incurred in relation to a criminal lunatic confined in a district lunatic asylum, and all expenses of removing any such lunatic from a prison or the central asylum for criminal lunatics to a district lunatic asylum, shall be defrayed out of money provided by Parliament, and such first-mentioned expenses shall be calculated in accordance with regulations to be made by the Lord Lieutenant with the approval of the Treasury.]

38 & 39 Vict. c. 67.

(2.) Section sixteen of the Lunatic Asylums (Ireland) Act, 1875 (which relates to the case of a patient confined in a district lunatic asylum who has an estate applicable to his maintenance or for whose maintenance any person is liable), shall extend to a criminal lunatic confined in any such asylum, and to any person confined therein under section ten of the Lunacy (Ireland) Act, 1867.

30 & 31 Vict. c. 118.

(3.) This section shall come into operation on the first day of April one thousand nine hundred and two.

Jurisdiction with respect to lunatics.
34 & 35 Vict. c. 28

4. The powers, authorities and duties to be had, exercised and performed under the Lunacy Regulation (Ireland) Act, 1871, by the Lord Chancellor for the time being intrusted by virtue of the King's Sign Manual with the care and commitment of the persons and estates of persons found idiot, lunatic, or of unsound mind, shall and may be exercised either by the Lord Chancellor intrusted as aforesaid acting alone or jointly with one or more of such judges of the Supreme Court as may for the time being be intrusted as aforesaid, or (save as to the powers conferred by sections one hundred and eight, one hundred and twelve, and one hundred and fifteen of the said Act) by any one or more of such judges as aforesaid.

Definition.

5. In this Act the expression "criminal lunatic" means:—

(a) any person for whose safe custody during His Majesty's or the Lord Lieutenant's pleasure, His Majesty or the Lord Lieutenant or the Admiralty is authorised to give order; and

(b) any person whom the Lord Lieutenant or a Secretary of State or the Admiralty has, in pursuance of any Act, directed to be removed to an asylum or other place for the reception of insane persons: A.D. 1901.

5 Provided that a person shall cease to be a criminal lunatic if he is remitted to prison or absolutely discharged, or if any term of penal servitude or imprisonment to which he may be subject determines.

6. This Act may be cited as the Lunacy (Ireland) Act, 1901, and may be cited with the Lunacy (Ireland) Acts, 1821 to 1890. Extent and short title.

A

BILL

INTITLED

An Act to amend the Law relating to
Lanacies in Ireland.

(*Brought from the Lords 17 June 1891.*)

*Ordered, by The House of Commons, to be Printed,
9 July 1891.*

PRINTED BY ELLIS AND SON, STATIONERS,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY,
And to the Parliament, under authority as therein set forth, by the
Printers and Stationers, at the Queen's Printing Office, in
St. Martin's Lane, London, W.C., at
the Press of the Queen's Printer, at
the Queen's Printer, at the Queen's Printer, at
[Price 1s.]

[Bill 25th.]